

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6511

BILL NUMBER: HB 1464

NOTE PREPARED: Nov 29, 2004

BILL AMENDED:

SUBJECT: Patriotic Displays and Moment of Silence In Schools.

FIRST AUTHOR: Rep. Goodin

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

(A) The bill authorizes a public school corporation to display the motto of the United States, "In God We Trust", in a conspicuous place in the main entrance of each building of the school corporation. The bill authorizes the display of a United States flag and the state flag in each classroom of a school corporation, and allows a school corporation to provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance, with an exemption for those students who choose (or whose parents choose for them) not to participate.

(B) The bill allows a school corporation to establish the daily observance of a brief period of silence in each classroom. The bill provides that if the governing body of a school corporation has not established a policy concerning the Pledge or a period of silence, a principal or teacher may establish a policy. The bill repeals a law allowing an optional brief period of silent prayer or meditation.

(C) The bill requires the Attorney General (AG) to defend suits challenging the constitutionality of the matters covered in this bill.

Effective Date: Upon passage; July 1, 2005.

Explanation of State Expenditures: *Summary:* (C) The bill would require the Attorney General to defend all suits involving a school corporation that has been made party to a civil suit that concerns reciting the Pledge of Allegiance or establishing a daily moment of silence. The impact to state expenditures is unknown and would

depend on the number of lawsuits filed.

Background: As of November 4, 2004, the Office of the Attorney General had 295 employees (262 full-time, 18 intermittent, 10 on leave, 4 temporary, and one part-time.)

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* (A) School corporations would have the option to display United States and Indiana state flags in each classroom of a school. Any additional expenditure would depend on local action.

The bill gives school corporations the option to display the Motto of the United States in a conspicuous place in the main entrance of each building of the school corporation. The display must include the phrase: "In God We Trust, the National Motto of the United States of America, adopted by Congress, July 30, 1956. The display must be in English. *Under the bill, school corporations may not use any public funds if donations are available to pay the costs of displaying the motto.*

Background: There are currently 294 school corporations in Indiana, with approximately 2,000 public schools.

Based on a small sample of flag retailers, poly-cotton classroom-size American flags can be purchased for \$2.25 to \$6.50 each, depending on order quantities. Additionally, classroom flag holders can be purchased individually from \$1.50 to \$8.00, depending on the construction quality.

A per unit cost for an 11" X 14" poster displaying the Motto is approximately \$3-\$6, depending on the number of posters ordered.

Explanation of Local Revenues:

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: School corporations.

Information Sources: Anyflag.com; Tidmoreflags.com; Martin's Flag Company; CVS Systems Inc; *HRM Detail Staffing Report Position and Employee Totals, November 4, 2004.*

Fiscal Analyst: Chris Baker, 317-232-9851.